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VIA ECF

The Honorable J. Paul Oetken
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *The Med. Soc'y of the State of New York, et al., v. UnitedHealth Grp., Inc., et al.*,
Civ. No. 16-cv-5265 (JPO)

Dear Judge Oetken:

We represent Defendants in the above-referenced matter. Pursuant to the Court's Individual Practice Rules 1(A) and 3(C), Defendants submit this request to extend certain deadlines set forth in the Court's August 29, 2018, order (Dkt. No. 133), as set forth below, due to unforeseen family and medical issues affecting Defendants' lead counsel. Plaintiffs consent to this extension.

The new requested dates are as follows:

Current Deadline	Proposed Extended Deadline
October 31, 2018, for close of first discovery period (including fact and expert deposition).	December 7, 2018, for close of first discovery period (including fact and expert deposition).
November 28, 2018, for Plaintiffs' motion for class certification.	January 11, 2019 for Plaintiffs' motion for class certification.
January 11, 2019, for Defendants' opposition to motion for class certification, if any.	February 15, 2019 for Defendants' opposition to motion for class certification, if any.



January 25, 2019, for Plaintiffs' reply on class certification, if any.	March 1, 2019, for Plaintiffs' reply on class certification, if any.
Second discovery period commencing upon issuance of class certification decision and continuing for 90 days (X+90).	Remains the same.
Second period – Initial requests for production of documents at X+10 days.	Remains the same.
Second period – Initial interrogatories at X+10 days.	Remains the same.
Second period – Depositions at X+90 days.	Remains the same.
Requests for admission served no later than 60 days after class certification decision.	Remains the same.

This is the third request for the extension of these deadlines. The original scheduling order was entered on December 1, 2017 (Dkt. No. 69). The Court granted the parties' first request for an extension of deadlines and issued a revised scheduling order on April 16, 2018 (Dkt. No. 90). The Court granted the parties' second request for an extension of deadlines and ordered a revised schedule on August 29, 2018 (Dkt No. 133).

Defendants' lead trial counsel, Greg Jacob, is currently handling unforeseeable family and medical issues, including a tickborne illness significantly affecting his pregnant wife and requiring him to take charge of their 1.5 and 3.5 year old children while she recovers. Other medical issues simultaneously impacting several other family members have tapped otherwise available family resources. This has unfortunately happened just as the parties were about to begin a heavy schedule of depositions to close out the discovery period. It is expected that the issues affecting Mr. Jacob and his family will be substantially resolved in the next few weeks.

Due to these issues, an extension is required to complete depositions, and to address several document-related issues that have arisen out of the several depositions that have already been completed. Plaintiffs have consented to the requested extension. Defendants therefore respectfully request that the Court modify the scheduling order as set forth above.

Respectfully submitted,

/s/ Gregory Jacob

Gregory F. Jacob

cc: Counsel of Record (via ECF)